

1 Edward R. Hugo [Bar No. 124839]  
ehugo@bhplaw.com  
2 Thomas J. Moses [Bar No. 116002]  
tmoses@bhplaw.com  
3 Jann M. Noddin [Bar No. 196445]  
jnoddin@bhplaw.com  
4 BRYDON HUGO & PARKER  
135 Main Street, 20<sup>th</sup> Floor  
5 San Francisco, CA 94105  
Telephone: (415) 808-0300  
6 Facsimile: (415) 808-0333

7 Attorneys for Defendant  
FOSTER WHEELER USA CORPORATION

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA

11 ALBERT WRIGHT JR. and MARVA JOE  
12 GREEN WRIGHT,

13 Plaintiff(s),  
14 vs.

15 A.W. CHESTERTON COMPANY, ET  
AL.,

16 Defendants.

USDC No.: C07-5403-EDL

DECLARATION OF THOMAS J. MOSES  
IN SUPPORT OF OPPOSITION TO  
MOTION TO REMAND TO STATE COURT

17  
18 I, Thomas J. Moses, declare:

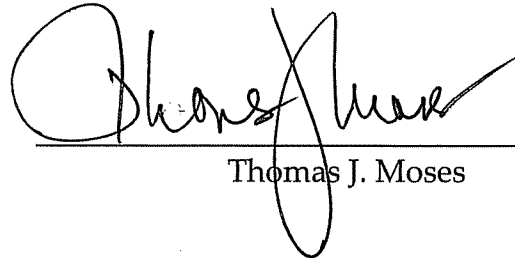
19 1. I am an attorney at law duly licensed to practice before the United States  
20 District Court, Northern District, and a senior counsel with Brydon Hugo & Parker,  
21 counsel for defendant FOSTER WHEELER USA CORPORATION ("Foster Wheeler") in  
22 this matter. If called upon by the court to do so, I would and could competently testify  
23 to the following matters that are in my personal knowledge except as to those matters  
24 stated on information and belief, and as to those matters, I believe them to be true.

25 2. Attached hereto as **Exhibit A** is a true and correct copy of Plaintiffs'  
26 Preliminary Statement.

27 3. Attached hereto as **Exhibit B** is a true and correct copies of a Government  
28 Purchase Order.

1 4. Attached hereto as **Exhibit C** is a true and correct copy of *Ballenger v. A.W.*  
2 *Chesterton*, 2006 WL 2186681.

3 I declare under penalty of perjury under the laws of the State of California that  
4 the foregoing is true and correct. Executed on December 14, 2007, at San Francisco,  
5 California.

6  
7   
8 Thomas J. Moses  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28